

## REMARKS

Claims 1-18 are pending in the application.

Claims 19- 46 have been cancelled without prejudice to the filing of one or more divisional applications. In Paper No. 4, the Examiner has required restriction between the claims of Group I (claims 1-18) which are drawn to a tire pyrolysis process, allegedly classified in Class 585, subclass 241, and the claims of Group II (claims 19-46) which are drawn to a tire pyrolysis apparatus, allegedly classified in Class 202, subclass 118. The Examiner takes the position that the inventions of Groups I and II are distinct, and that the invention of Group I is related to the invention of Group II as a process and apparatus for its practice. The Examiner further argues that the inventions can be shown to be distinct if the process can be practiced as another materially different apparatus or by hand or if the apparatus as claimed can be used to practice another and materially different process. Specifically, the Examiner states that the apparatus can be used to practice another process such as coal liquefaction.

The applicants do not necessarily agree with the Examiner's arguments in support of restriction, particularly since the Examiner has shown no support for his statement that the apparatus as claimed is suitable for coal liquefaction. However, in an effort to expedite prosecution of the application on the merits, applicants hereby elect in response to the written restriction requirement, without traverse, the claims of Group I drawn to a tire pyrolysis process (claims 1-18) for examination on the merits.

The Examiner is respectfully requested to contact the undersigned on any questions which might arise at the telephone number indicated below. Reconsideration and an early examination of the claims are respectfully requested.

Respectfully submitted,

**BLAINE MASEMORE**

8/21/03  
(Date)

By:

  
**LYNDA L. CALDERONE**

Registration No. 35,837

**AKIN GUMP STRAUSS HAUER & FELD LLP**

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

**Direct Dial: 215-965-1272**

Facsimile: 215-965-1210

E-Mail: lcalderone@akingump.com

LLC:llc